

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 14/MP/2016

Subject : Unlawful denial to modify LTA; Incorrect and improper Regional Transmission Accounting and seeking necessary directions under Section 79 (1) (c) read with 79 (1) (f) of the Electricity Act, 2003.

Date of hearing : 31.3.2016

Coram : Shri Gireesh B. Pradhan, Chairperson
Shri A.K. Singhal, Member
Shri A.S. Bakshi, Member
Dr. M.K. Iyer, Member

Petitioner : BSES Yamuna Power Limited

Respondents : Power Grid Corporation of India Limited and others

Parties present : Shri Manish Garg, BYPL
Shri Sameer Singh, BYPL
Shri Abhishek Srivastava, BYPL
Shri Shekhar Saklani, BYPL

Record of Proceedings

The representative of the petitioner submitted that the present petition has been filed seeking direction to ERPC to revise the regional transmission accounts from July 2011 by excluding the auxiliary consumption in accordance with the allocation made by DERC in its order dated 27.2.2014 and direction to PGCIL to revise and modify the bills raised for the POC charges in accordance with revised regional transmission accounts. He further submitted that the LTA quantum and the POC charges claimed by PGCIL are inconsistent and contrary to the order of DERC dated 27.2.2014 by which DERC had changed the quantum of allocation of power amongst the distribution companies of Delhi. The representative of the petitioner submitted as under:

(a) PGCIL vide letter dated 23.9.2013 granted LTA for 19 MW, 31MW and MW 20 MW to BYPL, BRPL and TPDCL respectively.

(b) In the 10th Connectivity and LTA meeting held on 25.5.2015, PGCIL stated that there is no provision in the CERC Regulations for reduction of LTA on account of change in allocation ratio by the State Commission and the LTA

quantum can only be relinquished fully or partly subject to payment of applicable relinquishment charges.

(c) PGCIL vide its letter dated 25.7.2014 requested the petitioner to make fresh application for grant of LTA for the revised quantum.

(d) Regulation 2 (1) (c) of the Central Electricity Regulatory Commission (Sharing of inter-State Transmission Charges and Losses) Regulations, 2010 (Sharing Regulations) defines approved injection as 'injection at the ex-bus of the generator'. The regulations have been framed on the philosophy of Point of Connection mechanism as laid down in the State of Reasons to the Sharing Regulations.

(e) As per proviso to Regulation 8 of the Central Electricity Regulatory Commission (Grant of Connectivity, Long Term Access and Medium Term Open Access in inter-State Transmission and related matters) Regulations, 2009 (Connectivity Regulations), in cases where once an application has been filed and thereafter has been any material change in the location of the applicant or change, by more than 100 MW in the quantum of power to be inter-changed with the inter-State transmission system, the applicant shall make a fresh application.

(f) On account of re-allocation *inter se* among distribution companies of Delhi, the total power transmitted through the system does not change. In the present case, the re-allocation of power by DERC does not amount to a change by more than 100 MW in the quantum of power to be interchanged using the inter-State transmission system requiring a fresh application. Therefore, the stand taken by PGCIL is ex-facie inconsistent with and contrary to the Connectivity Regulations.

2. After hearing the representative of the petitioner, the Commission admitted the petition and directed to issue notice to the respondents.

3. The Commission directed the petitioner to serve copy of the petition on the respondents by 8.4.2016. The respondents were directed to file their replies, on affidavit, by 22.4.2016 with an advance copy to the petitioner, who may file its rejoinder, if any, on or before 6.5.2016. The Commission directed that due date of filing the replies and rejoinders should be strictly complied with. No extension shall be granted on that account.

4. The petition shall be listed for hearing on 12.5.2016.

By order of the Commission

**Sd/-
(T. Rout)
Chief (Law)**